IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 14TH AUGUST 2007 / 23RD SRAVANA 1929

Bail Appl..No. 4970 of 2007()

CMP.3058/2007 of J.M.F.C., SASTHAMCOTTA
CRIME NO.52/07 OF SASTHAMCOTTA EXCISE RANGE.

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PETITIONER/ACCUSED

MOHANAN, S/O.PARAMU,
REMABHAVANAM, KUNNATHOOR VILLAGE,
KOLLAM.

BY ADV. SRI.V.PHILIP MATHEW

RESPONDENTS: STATE

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY P.P. SRI.S.U. NAZAR.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 14/8/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 4970 of 2007

Dated this the 14th day of August, 2007

ORDER

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. He was allegedly found to be in possession of 4 litres of Indian Made Foreign Liquor on 5/8/07. He was arrested and continues in custody from that date, his application for regular bail having been dismissed by the learned Magistrate. The petitioner has come to this Court without and before approaching the learned Sessions Judge for regular bail.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not seriously oppose the said prayer on condition that the Investigator is granted reasonable further time to complete the investigation and I am satisfied that the petitioner can now be enlarged on bail subject to appropriate terms and conditions.

3. **In the result:**

(a) This application is allowed. The petitioner shall be

released on bail on the following terms and conditions:

(i) The petitioner shall not be released from custody on the strength of this order prior to 18/8/07. The Investigator shall, in the meantime, make every endeavour to complete the investigation.

(ii) The petitioner shall execute a bond for Rs.25,000/- with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(iii) The petitioner shall make himself available for interrogation before the Investigating Officer as and when directed by the Investigating Officer in writing to do so.

(R. BASANT, JUDGE)

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